

Defendant Alexander Yaroshinsky's Motion to Strike ("Motion to Strike") was heard on October 19, 2007 at 9:00 a.m., in Courtroom 10 of the above-entitled court. Having read and considered all papers submitted in the matter, as well as having entertained oral argument, and good cause appearing therefor, IT IS HEREBY ORDERED that the Motion to Strike is GRANTED. Paragraphs 9, 25-26, 55, 68-70, 86-94, 97-98, 147-149, 167, 343, 350-351, and 370-371 of Lead Plaintiff's Amended Consolidated Class Action Complaint ("Complaint") are stricken. Dated: _____ UNITED STATES DISTRICT JUDGE

DLA PIPER US LLP SAN DIEGO

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